

ROBERT A. VAN NEST (SBN 84065)
rvannest@kvn.com
CHRISTA M. ANDERSON (SBN 184325)
canderson@kvn.com
KEKER & VAN NEST LLP
633 Battery Street
San Francisco, CA 94111-1704
Telephone: (415) 391-5400
Facsimile: (415) 397-7188

SCOTT T. WEINGAERTNER (*Pro Hac Vice*)
sweingaertner@kslaw.com
ROBERT F. PERRY
rperry@kslaw.com
BRUCE W. BABER (*Pro Hac Vice*)
bbaber@kslaw.com
KING & SPALDING LLP
1185 Avenue of the Americas
New York, NY 10036-4003
Telephone: (212) 556-2100
Facsimile: (212) 556-2222

DONALD F. ZIMMER, JR. (SBN 112279)
fzimmer@kslaw.com
CHERYL A. SABNIS (SBN 224323)
csabnis@kslaw.com
KING & SPALDING LLP
101 Second Street – Suite 2300
San Francisco, CA 94105
Telephone: (415) 318-1200
Facsimile: (415) 318-1300

IAN C. BALLON (SBN 141819)
ballon@gtlaw.com
HEATHER MEEKER (SBN 172148)
meekerh@gtlaw.com
GREENBERG TRAURIG, LLP
1900 University Avenue
East Palo Alto, CA 94303
Telephone: (650) 328-8500
Facsimile: (650) 328-8508

Atorneys for Defendant
GOOGLE INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ORACLE AMERICA, INC.,
Plaintiff,
v.
GOOGLE INC.,
Defendant.

Case No. 3:10-cv-03561-WHA
Honorable Judge William Alsup

GOOGLE INC.'S RESPONSE TO ORDER REGARDING MEDIATION

1 Google welcomes the Court's suggestion that the parties participate in a mediation of this
2 case before a Magistrate Judge. Google does not object to participating in a mediation before a
3 Magistrate Judge who is not otherwise involved in this case.

4 Google recognizes the importance of having top executives of the parties attend the
5 Court-ordered mediation. Google proposes that Andrew Rubin, who is Senior Vice President,
6 Mobile and reports directly to the Chief Executive Officer, attend for Google together with Kent
7 Walker, Vice President and General Counsel of Google. Mr. Rubin's executive responsibilities
8 include all of Google's mobile business, of which the Android business is a part. Mr. Rubin is
9 knowledgeable regarding the issues in this case and he is fully empowered to resolve this matter
10 on reasonable terms.

11 Google also understands from counsel for Oracle that they propose that Safra Catz and
12 Thomas Kurian attend on behalf of Oracle -- and Google agrees with this choice. Ms. Catz is
13 one of two Presidents of Oracle who, like Mr. Rubin, reports directly to Oracle's Chief Executive
14 Officer. Mr. Rubin and Ms. Catz were involved in previous discussions involving the subject
15 matter at issue in this case.

16 ///

17 ///

18 ///

19

20

21

22

23

24

25

26

27

28

1 DATED: September 7, 2011

KING & SPALDING LLP

2 By: /s/ Scott T. Weingaertner

3 SCOTT T. WEINGAERTNER (*Pro Hac Vice*)
sweingaertner@kslaw.com
4 ROBERT F. PERRY
rperry@kslaw.com
5 BRUCE W. BABER (*Pro Hac Vice*)
bbaber@kslaw.com
6 1185 Avenue of the Americas
7 New York, NY 10036-4003
Telephone: (212) 556-2100
8 Facsimile: (212) 556-2222

9 ROBERT A. VAN NEST (SBN 84065)
10 rvannest@kvn.com
11 CHRISTA M. ANDERSON (SBN 184325)
canderson@kvn.com
12 KEKER & VAN NEST LLP
710 Sansome Street
13 San Francisco, CA 94111-1704
Telephone: (415) 391-5400
14 Facsimile: (415) 397-7188

15 DONALD F. ZIMMER, JR. (SBN 112279)
16 fzimmer@kslaw.com
17 CHERYL A. SABNIS (SBN 224323)
csabnis@kslaw.com
18 KING & SPALDING LLP
101 Second Street – Suite 2300
19 San Francisco, CA 94105
Telephone: (415) 318-1200
20 Facsimile: (415) 318-1300

21 IAN C. BALLON (SBN 141819)
ballon@gtlaw.com
22 HEATHER MEEKER (SBN 172148)
meekerh@gtlaw.com
23 GREENBERG TRAURIG, LLP
1900 University Avenue
24 East Palo Alto, CA 94303
Telephone: (650) 328-8500
25 Facsimile: (650) 328-8508

26 ATTORNEYS FOR DEFENDANT
27 GOOGLE INC.

1 I hereby certify that Scott T. Weingartner concurs with the filing of this document.
2
3 By: /s/ Cheryl A. Sabnis /s/
4 Cheryl A. Sabnis
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28